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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,233	12/27/2000	David J. Harriman	10559-387001/P10192	6621
20985	7590	09/29/2004	EXAMINER	
FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081			ORTIZ RODRIGUEZ, CARLOS R	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/750,233

**Applicant(s)**

HARRIMAN ET AL.

**Examiner**

Carlos Ortiz-Rodriguez

**Art Unit**

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 7, 16, and 25 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
2. Claims 8-9, 17-18, and 24-27 objected to as being dependent upon a rejected base claim.
3. Claims 4, 5, 13, 14, 22, 23 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

#### **Rejections under 35 U.S.C. 112, second paragraph, as being ambiguous.**

Regarding claim 4, the phrase "a set of simulation signals" in line 2 renders the claim(s) indefinite because it is ambiguous whether the "set of simulation signals" is the same set prior mentioned in the base claim or if it is referring to different set. Furthermore, the phrase "a set of atomic rules" in lines 6-7 renders the claim(s) indefinite because it is ambiguous whether the "set of atomic rules" is the same set prior mentioned in the claim or if it is referring to different set.

Art Unit: 2125

Regarding claim 5, the phrase "one or more symbols" in line 4 renders the claim(s) indefinite because it is ambiguous whether it is referring to the same "symbol" prior mentioned in the claim or if it is a different symbol.

Regarding claim 7, the phrase "an action" in line 4 renders the claim(s) indefinite because it is ambiguous whether it is referring to the same "action" prior mentioned in the claim or if it is a different action.

Regarding claim 13, the phrase "a set of simulation signals" in line 3 renders the claim(s) indefinite because it is ambiguous whether it is referring to the same "set of simulation signals" prior mentioned in the base claim or if it is a different set of simulation signals.

Regarding claim 14, the phrase "one or more symbols" in line 5 renders the claim(s) indefinite because it is ambiguous whether it is referring to the same "symbol" prior mentioned in the claim or if it is a different symbol.

Regarding claim 16, the phrase "an action" in line 6 renders the claim(s) indefinite because it is ambiguous whether it is referring to the same "action" prior mentioned in the claim or if it is a different action.

Regarding claim 22, the phrase "a set of simulation signals" in line 3 renders the claim(s) indefinite because it is ambiguous whether the "set of simulation signals" is the same set prior mentioned in the base claim or if it is referring to different set.

Regarding claim 23, the phrase "one or more symbols" in line 5 renders the claim(s) indefinite because it is ambiguous whether it is referring to the same "symbol" prior mentioned in the claim or if it is a different symbol.

Regarding claim 25, the phrase "an action" in line 7 renders the claim(s) indefinite because it is ambiguous whether it is referring to the same "action" prior mentioned in the claim or if it is a different action.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 6, 10-12, 15, 19-21 and 24 rejected under 35 U.S.C. 102(b) as being anticipated by Stumpf et al. U.S Patent No. 5,175,829.

Regarding claims 1, 10 and 19 Stumpf et al. discloses the method comprising: generating simulation signals from a design simulation; applying a transaction rule (instruction) to recognize

Art Unit: 2125

a set of the simulation signals (sequence of operations) as a transaction; and executing an action (trigger the processor to cause a lock) associated with the transaction rule (see for example C2 L10-35).

Regarding claims 2, 11, and 20 Stumpf et al. discloses the method further comprising: successively defining the transaction rule(instruction) using other rules (instructions having indivisible actions) so that the transaction rule is defined by the simulation signals (see for example C1 L20-25 and C2 L15-18).

Regarding claims 3, 12 and 21 Stumpf et al. discloses the method further comprising: executing an action (trigger the processor to cause a lock) associated with each rule to perform user-defined functions (see for example C2 L13-35, C3 L65-67 and C4 L1-8).

Regarding claims 6, 15 and 24 the method further comprising: producing an output which includes printing information about the transaction is inherent to Stumpf et al.

#### ***Citation of Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patent are cited to further show the state of the art with respect to recognizing signals in design simulation:

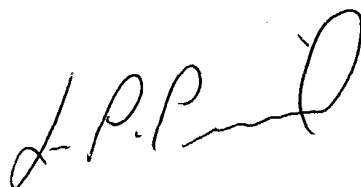
- a. U.S. Pat. No. 6,684,226 to Bodilsen, which discloses method for storing data in one or more files so that both previous and new versions of the data are separately accessible.

Art Unit: 2125

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is (703) 305-8009. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (703) 308-0538. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read 'C. Ortiz-Rodriguez', with a large, stylized loop at the end.

Carlos Ortiz-Rodriguez  
Patent Examiner  
Art Unit 2125

cror

September 24, 2004

**LEO PICARD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100**